

RECEIVED
FEDERAL ELECTION
COMMISSION

VIA FAX & OVERNIGHT DELIVERY August 30th

2010 AUG 31 AM 11:29

Ruth Heilizer & Jeff Gordon .
Office of the General Counsel
Federal Election Commission
990 E Street, N.W.
Washington, D.C. 20463

OFFICE OF GENERAL
COUNSEL

MUR # 6362

RE: Complaint: Californians for Fiscally Conservative Leadership (FEC ID
#C30001580)

Dear Ms. Duncan:

This letter requests that the Federal Elections Commission ("FEC") immediately investigate Denham for Congress Committee, the Chukchansi Tribal Government, the non-profit Rasmussen the Brave, Californians for Fiscally Conservative Leadership, and Gillard Blanning and Associates (Dave Gillard & Carlos Rodriguez). Specifically, a combination of these organizations aired television and radio ads and made other expenditures featuring Jeff Denham within thirty days of a primary election to the U.S. Congress without complying with disclosure requirements under federal law. By ignoring these requirements, they have not only violated federal law, but have hidden the true source of funding for these television and radio ads. There was also coordination between the entities that we feel stepped over the line of current election law.

As you know, federal law requires any organization which makes independent expenditures within thirty days of an election to file a special notice with the FEC within 24 hours of the expenditure being made (11 C.F.R. sections 104.5(g)(2) and 104.4(c)). These reports are extremely important as they serve to publically disclose the source of funds used to pay for communications immediately before an election, where regular disclosure would come too late (11 C.F.R. section 109.11.). This prevents an organization and its contributors from hiding their funding sources until after Election Day. Despite the clarity of the law and importance of these reports, according to the FEC's website none of these organizations have filed reports with the FEC detailing the independent expenditure.

The egregiousness of this violation is magnified by questions surrounding the source of funds used to pay for the independent expenditure. A recent Fresno Bee story details a leaked tribal document which indicates that the Tribe held a benefit concert "to raise funds for Jeff Denham's campaign" (See attached).

The failure to file the necessary documents with the FEC along with the questionable circumstances surrounding the funding warrants immediate investigation. Attached you will find a memo that was made public during the campaign which

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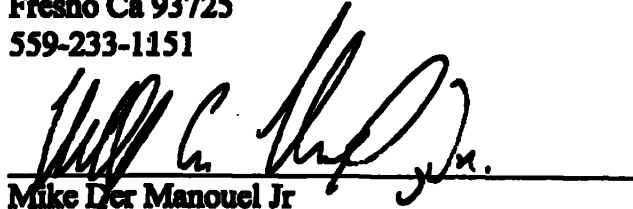
sufficiently outlines our concerns (source unknown).

Thank you for your immediate attention to this issue. Please do not hesitate to contact us for further information.

Subscribed and sworn to before me on August 30th, 2010.



Tal Cloud
2822 S Maple
Fresno Ca 93725
559-233-1151



Mike Der Manouel Jr
548 W. Cromwell
Fresno Ca 93711

8/30/2010 Date

Dave Gillard and Carlos Rodriguez
5701 Lonetree Blvd #301
Rocklin, Ca 95765
916-626-6804

Chukehansi aka Californians for Fiscally Conservative Leadership
711 Lucky Lane
Coarsegold, Ca 93614
559-692-5200

Jeff Denham State Account #1251652
209-338-0121

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CALIFORNIA JURAT WITH AFFIANT STATEMENT

- ☒ See Attached Document (Notary to cross out lines 1-6 below)
☐ See Statement Below (Lines 1-6 to be completed only by document signer[s], not Notary)

1 _____
2 _____
3 _____
4 _____
5 _____
6 _____

Signature of Document Signer No. 1

Signature of Document Signer No. 2 (if any)

State of California

County of Fresno

Subscribed and sworn to (or affirmed) before me

on this 8 day of 30, 2010
Date Month Year

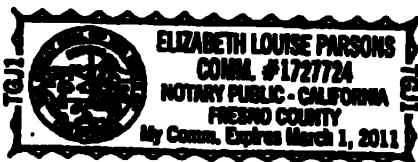
by [Signature]
(1) [Signature]
Name of Signer

proved to me on the basis of satisfactory evidence to be the person who appeared before me (.) (.)

and [Signature]
(2) [Signature]
Name of Signer

proved to me on the basis of satisfactory evidence to be the person who appeared before me.)

Signature Elizabeth Louise Parsons
Signature of Notary Public



Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Further Description of Any Attached Document

Title or Type of Document: Complaint: Californians For Fiscal Conservative Leadership (CFCL)
#030001580
Document Date: 8/30/2010 Number of Pages: 2

Signer(s) Other Than Named Above: N/A



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MEMO

To: Chairman Matthew S. Petersen

CC: Commissioners Cynthia Bauerly, Caroline C. Hunter, Donald F. McGahn II, Steven T. Walther, Ellen E. Weintraub; Mr. Craig C. Donsanto, Director, Elections Crimes Branch, Department of Justice

Date: May 24, 2010

Re: CALIFORNIA REPUBLICAN PRIMARY, 19TH CONGRESSIONAL RACE
ALLEGATIONS OF CRIMINAL ACTIVITY

Comments:

We have received extensive information concerning possible Federal Election Campaign Act (FECA) violations during the Primary Election in California's 19th Congressional District. These allegations, which were delivered by multiple sources and are substantiated by the attached documentation, may necessitate referral under Section 2 of the 1977 Memorandum of Understanding between the Federal Election Commission (FEC) and Department of Justice (DOJ) for criminal prosecution.

Based on the facts available to date, there is sufficient evidence to suggest that the Jeff Denham campaign and its supporters have knowingly and willfully sought to avoid compliance with key FECA provisions.

- Currently, and within weeks of California's primary election, there are television and radio advertisements featuring Jeff Denham airing throughout the 19th Congressional District. These ads are being financed by a tax exempt nonprofit in coordination with a tribal government, the Chukchansi tribe. The Jeff Denham state election campaign, which is prohibited from involvement in the federal election, is assisting in the financing of these advertisements.
- A Chukchansi Marketing Department Agenda exposes the charitable event to be a political event on behalf of Denham for Congress. The May 20, 2010 document states, "On 5/28, the Charity Concert by Phil Vassar will be performing to raise funds for Jeff Denham campaign" (see attachment 1).
- David Quintana, a lobbyist and political consultant for the Chukchansi tribe, is a former California Senate staffer and is a supporter of Jeff Denham. Quintana helped organize a nonprofit event hosted by Chukchansi to occur days before the primary election.
- Dave Giliard, Denham campaign consultant, purchased advertisements on behalf of the Denham campaign but also purchased advertisements on behalf of the nonprofit event in coordination with David Quintana and the Chukchansi tribe.
- Jeff Denham is prominently featured in the nonprofit/Chukchansi advertising campaign and worked to solicit corporate funds and other donations in excess of federal limits to offset the cost of these advertisements (see attachment 2). He explains his participation as a benefit for the families of veterans.
- Funds were solicited by Denham for the nonprofit/Chukchansi event with the apparent knowledge that these dollars would help pay for an extensive advertising campaign. The nonprofit's advertising campaign would run within 30 days of California's Republican Primary.

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- Denham, who is a State Senator, admitted to transferring corporate campaign money from his state political account to the nonprofit/Chukchansi event account.
- The goal of the nonprofit event, as advertised by the Chukchansi tribe, is to raise funds for a worthy cause involving veterans. However, Dave Gilliard and David Quintana have already spent more money on television and radio advertisements featuring Jeff Denham than could possibly be raised through ticket sales by the nonprofit/Chukchansi tribe.
- A January 2010 message from John Harris, a key Denham supporter and campaign contributor, indicates that Denham was planning to channel \$700,000 in state campaign funds to assist in his Congressional race. These funds are being transferred to a nonprofit and are being used to pay for advertisements featuring Jeff Denham (see attachment 3).
- Carlos Rodriguez, who is a political operative on the payroll of retiring Congressman George Radanovich's campaign, is working as consultant and spokesman for the Denham campaign in violation of federal campaign law. According to the FEC, Carlos Rodriguez received more than \$13,000 in payments from Radanovich's federal campaign account in the first quarter of 2010. This despite the fact that Radanovich is retiring and Rodriguez is consulting another federal candidate - Jeff Denham. Denham did not report payments to Rodriguez in his FEC report.
- The Chukchansi tribe, through IETAN in Washington DC and political consultant David Quintana in Sacramento, worked to coordinate a nonprofit event and a political fundraiser for Jeff Denham (see attachment 2). IETAN and the tribal governments it represents, including Chukchansi, are financial supporters of Jeff Denham's Congressional campaign.

The activities outlined above are clearly designed to circumvent FECA requirements. Based on information currently available, the Denham campaign has likely accepted prohibited in-kind contributions, exceeded contribution limits; and coordinated electioneering activity. These violations may be compounded by the knowing and willful circumvention of federal campaign finance laws, possibly through conspiracy. In addition, the facts suggest some individuals may have engaged in tax evasion associated with contributions to a 501(c)3 organization for political purposes and, on the part of the nonprofit itself, a violation of FEC and Internal Revenue Service Rules related to political activity on the part of nonprofits.

The Denham campaign alleges that the nonprofit's activity is a lawful fundraiser. However, we are unable to explain or justify why a fundraising event would feature a candidate with such a massive advertising buy this close to an election - outside the obvious, an effort to promote the candidate's election. This is underscored by the discussion of political activity contained in the Chukchansi Marketing Agenda.

Furthermore, the Federal Elections Commission has made it clear that the nonprofit's activities are a form of electioneering. The nonprofit has countered this point by including a disclaimer on several of its advertisements. These disclaimers are required by the FEC for electioneering communications.

We recommend further investigation of these issues and immediate intervention to end unlawful activities. We also recommend that this case be referred to the DOJ for investigation and possible criminal prosecutions pursuant to 2 U.S.C. 437a(C))

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Campaign Finance:

**DENHAM FOR STATE SENATE, JEFF
(OFFICEHOLDER: STATE SENATE DISTRICT
12)**

Election Cycle:

- 2009 through 2010
- Historical

View Information:

(Due to the amount of data, these pages may take some time to load.)

- General Information
- Contributions Received
- Contributions Made
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- Late and >\$5000 - Contributions Received
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This is the official name of the committee, political party, or major donor as registered with the Secretary of State.

DENHAM FOR SENATE 2806, JEFF

FILER ID:

1251652

FILER PHONE:

(209) 338-0121

SUMMARY INFORMATION - DENHAM FOR STATE SENATE, JEFF (ID# 1251652)

CURRENT STATUS	ACTIVE
LAST REPORT DATE THIS SESSION	03/22/2010
REPORTING PERIOD	01/01/2010 - 03/17/2010
CONTRIBUTIONS FROM THIS PERIOD	(\$226,725.08)
TOTAL CONTRIBUTIONS 1/1/2010 - 03/17/2010	(\$226,725.00)
EXPENDITURES FROM THIS PERIOD	\$35,466.81
TOTAL EXPENDITURES 1/1/2010 - 03/17/2010	\$35,466.81
ENDING CASH	\$581,672.75

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09/28/2009	TELEPACIFIC COMMUNICATIONS	OFFICE EXPENSES	\$101.59
09/29/2009	SICILIANI, TONY	CAMPAIGN LITERATURE AND MAILINGS	\$2,683.51
09/29/2009	SICILIANI, TONY	CAMPAIGN LITERATURE AND MAILINGS	\$2,781.69
09/29/2009	THE STONECREEK GROUP	CAMPAIGN CONSULTANTS	\$3,500.00
10/06/2009	AT&T MOBILITY	OFFICE EXPENSES	\$175.91
10/06/2009	CAPITOL TECH SOLUTIONS	INFORMATION TECHNOLOGY COSTS (INTERNET, E-MAIL)	\$150.00
10/06/2009	MARRIOTT REWARDS	CANDIDATE TRAVEL, LODGING AND MEALS	\$2,988.62
10/08/2009	BEE & ASSOC.	CAMPAIGN CONSULTANTS	\$3,728.05
10/12/2009	1231 8TH ST., TIC	OFFICE EXPENSES	\$364.91
10/12/2009	HOGUE, ERIC	INFORMATION TECHNOLOGY COSTS (INTERNET, E-MAIL)	\$600.00
10/14/2009	BALDWIN PRESS	CAMPAIGN LITERATURE AND MAILINGS	\$4,612.11
10/19/2009	POSTMASTER	OFFICE EXPENSES	\$44.00
10/19/2009	ERIC'S WIRELESS	OFFICE EXPENSES	\$157.91
10/27/2009	TELEPACIFIC COMMUNICATIONS	OFFICE EXPENSES	\$101.59
11/02/2009	BAUER, DAVID	PROFESSIONAL SERVICES (LEGAL, ACCOUNTING)	\$1,620.30
11/02/2009	FERREIRA, DANA	CAMPAIGN CONSULTANTS	\$1,000.00
11/02/2009	MARRIOTT REWARDS	CANDIDATE TRAVEL, LODGING AND MEALS	\$4,681.39
11/03/2009	AT&T MOBILITY	OFFICE EXPENSES	\$270.81
11/03/2009	CAPITOL TECH SOLUTIONS	INFORMATION TECHNOLOGY COSTS (INTERNET, E-MAIL)	\$150.00
11/03/2009	THE STONECREEK GROUP	CAMPAIGN CONSULTANTS	\$3,500.00
11/05/2009	1231 8TH ST., TIC	OFFICE EXPENSES	\$377.01
11/05/2009	POSTMASTER	OFFICE EXPENSES	\$176.00
11/08/2009	BASH REPORT	INFORMATION TECHNOLOGY COSTS (INTERNET, E-MAIL)	\$3,750.00
11/09/2009	COMPLETE CAMPAIGNS	OFFICE EXPENSES	\$37.50
11/10/2009	BEE & ASSOC.	FUNDRAISING EXPENSES	\$289.18
11/10/2009	PUBLIC OPINION STRATEGIES	POLLING AND SURVEY RESEARCH	\$3,000.00
11/20/2009	COPS VOTER GUIDE	CAMPAIGN LITERATURE AND MAILINGS	\$65,000.00
11/20/2009	ENCINAS, JEROME	CANDIDATE TRAVEL, LODGING AND MEALS	\$179.20
11/20/2009	VERIZON WIRELESS	OFFICE EXPENSES	\$166.86
11/23/2009	FERREIRA, DANA	CAMPAIGN	\$1,000.00

		CONSULTANTS	
11/30/2009	THE STONECREEK GROUP	CAMPAIGN CONSULTANTS	\$3,500.00
12/07/2009	1231 8TH ST., TIC	OFFICE EXPENSES	\$367.68
12/07/2009	AT&T MOBILITY	OFFICE EXPENSES	\$164.42
12/07/2009	CAPITOL TECH SOLUTIONS	INFORMATION TECHNOLOGY COSTS (INTERNET, E-MAIL)	\$150.00
12/07/2009	JOHNSONCLARK ASSOCIATES	OFFICE EXPENSES	\$83.54
12/14/2009	MARRIOTT REWARDS	CANDIDATE TRAVEL, LODGING AND MEALS	\$950.87
12/14/2009	TELEPACIFIC COMMUNICATIONS	OFFICE EXPENSES	\$101.74
12/15/2009	CANNELLA FOR SENATE 2010	CONTRIBUTION	\$3,900.00
12/15/2009	CANNELLA FOR SENATE 2010	CONTRIBUTION	\$3,900.00
12/15/2009	VERIZON WIRELESS	OFFICE EXPENSES	\$167.07
12/18/2009	BILL BERRYHILL FOR ASSEMBLY 2010	CONTRIBUTION	\$3,900.00
12/18/2009	BILL BERRYHILL FOR ASSEMBLY 2010	CONTRIBUTION	\$3,900.00
12/18/2009	FRIENDS OF TOM HARRIS FOR ATTORNEY GENERAL 2010	CONTRIBUTION	\$3,900.00
12/18/2009	JEFF GORELL FOR ASSEMBLY 2010	CONTRIBUTION	\$3,900.00
12/18/2009	STEVE KNIGHT FOR ASSEMBLY 2010	CONTRIBUTION	\$3,900.00
12/22/2009	COMPLETE CAMPAIGNS		\$318.75
12/23/2009	MIKE STOKER FOR ASSEMBLY 2010	CONTRIBUTION	\$3,900.00
12/30/2009	TOM BERRYHILL FOR SENATE 2010	CONTRIBUTION	\$3,900.00
12/31/2009	THE DOUG LAMALFA COMMITTEE - SENATE 2010	CONTRIBUTION	\$3,900.00
01/11/2010	1231 8TH ST., TIC	OFFICE EXPENSES	\$370.17
01/11/2010	AT&T MOBILITY	OFFICE EXPENSES	\$181.52
01/11/2010	BAUER, DAVID	PROFESSIONAL SERVICES (LEGAL, ACCOUNTING)	\$1,531.80
01/11/2010	FRIENDS TO RE-ELECT SIOCHI CHRISTIANSON FOR SHERIFF 2010	CONTRIBUTION	\$1,000.00
01/11/2010	FERREIRA, DANA	OFFICE EXPENSES	\$120.83
01/11/2010	FERREIRA, DANA	CAMPAIGN WORKERS SALARIES	\$1,000.00
01/11/2010	HUGL, JIM	CAMPAIGN LITERATURE AND MAILINGS	\$747.10
01/11/2010	MARRIOTT REWARDS	OFFICE EXPENSES	\$852.94
01/11/2010	SC DESIGN	CAMPAIGN LITERATURE AND MAILINGS	\$567.00
01/11/2010	TELEPACIFIC	OFFICE EXPENSES	\$102.98

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	COMMUNICATIONS			
01/15/2010	FRIENDS OF JEFF DENHAM FOR CONGRESS		FEDERAL CANDIDATE	\$1,000.00
01/26/2010	FLASH REPORT	INFORMATION TECHNOLOGY COSTS (INTERNET, E-MAIL)		\$1,500.00
01/26/2010	MARRIOTT REWARDS	OFFICE EXPENSES		\$27.15
01/26/2010	MARRIOTT REWARDS	OFFICE EXPENSES		\$148.41
01/26/2010	TELEPACIFIC COMMUNICATIONS	OFFICE EXPENSES		\$108.14
01/26/2010	VERIZON WIRELESS	OFFICE EXPENSES		\$168.88
02/01/2010	THE STONECREEK GROUP	CAMPAIGN CONSULTANTS		\$3,500.00

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**DENHAM FOR STATE SENATE, JEFF
(OFFICEHOLDER) STATE SENATE DISTRICT
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HISTORICAL NAMES FOR THIS COMMITTEE

DENHAM FOR SENATE 2006, JEFF

FILER ID:

1251652

FILER PHONE:

(209) 338-0121

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